

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

JAMES OTIS CARTER,)	CASE NO. 4:05 CV 1484
)	
Plaintiff,)	JUDGE JAMES S. GWIN
)	
v.)	
)	<u>MEMORANDUM OF OPINION</u>
TRUMBULL MEMORIAL HOSPITAL,)	<u>AND ORDER</u>
)	
Defendant.)	

On May 25, 2005, this in forma pauperis action was filed by Leonia Carter, on behalf of James Otis Carter, against Trumbull Memorial Hospital, Dr. Morris W. Pulliam, Dr. Leonard Blass, and Dr. Kenneth Jones. The complaint alleges defendants carelessly and negligently failed to render proper postoperative care to James Otis Carter. For the reasons stated below, this action is dismissed pursuant to 28 U.S.C. § 1915(e).

As a threshold matter, there is no indication that Leonia Carter is an attorney licensed to practice law. One pro se litigant, who is not an attorney, cannot represent other pro se parties. See §28 U.S.C. 1654 ("parties may plead and conduct their own cases personally or by counsel").

Further, there are no facts set forth in the complaint

suggesting a proper basis for this court's jurisdiction, as the parties are all located in Ohio and no federal statute is implicated by Mr. Carter's claim. This action is therefore appropriately subject to dismissal under section 1915(e). Lowe v. Hustetler, No. 89-5996, 1990 WL 66822 (6th Cir. May 21, 1990).

Accordingly, the application to proceed in forma pauperis is granted and this action is dismissed. Further, the court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

Dated: July 29, 2005

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT COURT